

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re:	:	<b>Chapter 7</b>
Landon Aeron Williams	:	Case No. <b>5:19-bk-05046</b>
aka Landon A. Williams	:	
aka Landon Williams	:	
Marcy Beth Williams	:	
aka Marcy B. Williams	:	
aka Marcy Williams	:	
aka Marcy Beth Sloan	:	
Debtors,	:	
	:	
Landon Aeron Williams	:	Motion to Reopen
Marcy Beth Williams	:	
Movants,	:	
v.	:	
Bon Secours Community Hospital,	:	
Respondent.	:	

**MOTION TO REOPEN CASE TO PERMIT DEBTOR TO SEEK RELIEF FOR  
VIOLATIONS OF THE DISCHARGE INJUNCTION**

AND NOW COMES Movants, Landon Aeron Williams and Marcy B. Williams, by and through their attorneys, Newman Williams, P.C., and pursuant to 11 U.S.C. §350(b) move to reopen the above-referenced bankruptcy case so that Movant may seek relief for violations of the Discharge Injunction, and in support thereof, presents the following:

1. Movant filed a Chapter 7 Bankruptcy Case on November 26, 2019 docketed at 5:19-bk-05046.
2. Respondent is Bon Secours Community Hospital with an address of PO Box 742791 Atlanta, GA 30374-2791160.
3. In the Debtor's Voluntary Chapter 7 Petition, Movant listed Respondent as a nonpriority unsecured creditor on Schedule E/F with a claim of \$661.24 for prepetition medical expenses. The Petition is attached hereto as an **Exhibit**.

4. On November 29, 2019, the Bankruptcy Noticing Center served a formal Notice of Chapter 7 Bankruptcy Case, indicating the date and location of the meeting of creditors and other deadlines on Respondent, Bon Secours Community Hospital at PO Box 742791, Atlanta, GA 30374-2791160. A true and correct copy of the Bankruptcy Noticing Center Certificate of Notice is filed with this Complaint as an **Exhibit**.
5. On March 9, 2020, the Court issued a Discharge Order meaning that all dischargeable debts the Debtor had on the date of the bankruptcy filing were eliminated. The Discharge Order is attached as an **Exhibit**.
6. The Discharge Order indicated Creditors could not contact the Debtor by mail, phone, or otherwise in any attempt to collect the debt personally and warned that Creditors who violated this Order could be required to pay Debtor damages and attorney's fees.
7. On March 11, 2020, the Bankruptcy Noticing Center served the Discharge Order on Respondent, Bon Secours Community Hospital at PO Box 742791, Atlanta, GA 30374-2791160. A true and correct copy of the Bankruptcy Noticing Center Certificate of Notice is filed with this Complaint as an **Exhibit**.
8. Notwithstanding, Respondent has continued to send invoices and leave voicemails for Movants pertaining to the discharged debt every month since the date of the Discharge Order.
9. On April 6, 2020, Respondent sent an invoice seeking payment of \$661.24 (the exact amount set forth in the Petition) for services that were provided on August 6, 2019 (prepetition). The invoice is attached as an **Exhibit**.
10. The April 6<sup>th</sup> invoice provides “[w]e have mailed you several statements and/or letters to obtain payment on your now **DELINQUENT** account. This letter is to inform you that

failure to contact us within 30 days will result in escalated collection actions, including litigation and/or placement with a **COLLECTIONS AGENCY.**” (Emphasis in original).

11. On May 26, 2020, Respondent sent another notice to Movants pertaining to the medical services provided on August 6, 2019. The invoice is attached as an **Exhibit**.
12. In June 2020, Respondent left multiple voicemails for Movants pertaining to the discharged debt. Transcripts of the voicemails are attached as an **Exhibit**.
13. The actions of Respondent, detailed above, continue to violate the discharge injunction.
14. Movants wishes to reopen the bankruptcy case so that they can file a motion for an Order for Contempt pursuant to 11 U.S.C. §§105(a), as governed by Fed.R.Bankr.P. 9014 pursuant to Fed.R.Bankr.P. 9020, for repeatedly and flagrantly violating the discharge injunction.

WHEREFORE, the Movants request that this Honorable Court enter an Order reopening their bankruptcy case so that they may file a motion for an Order for Contempt against Respondent.

Respectfully Submitted,

**NEWMAN, WILLIAMS, P.C.**

By: /s/ Robert J. Kidwell

Robert J. Kidwell, Esquire  
Attorneys for Movant  
PO Box 511, 712 Monroe Street  
Stroudsburg, PA 18360  
(570) 421-9090; fax (570) 424-9739  
[rkidwell@newmanwilliams.com](mailto:rkidwell@newmanwilliams.com)